

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
SOUTHERN DIVISION**

GILBERT MOBLEY,

Plaintiff,

vs.

**GREENE COUNTY HIGHWAY
DEPARTMENT and EMERY SAPP &
SONS,**

Defendants.

Civil Action No. 6:22-cv-03007-MDH

ORDER GRANTING MOTION TO PROCEED IN FORMA PAUPERIS

This action stems from Plaintiff's allegation that Defendants violated or are violating 23 U.S.C. § 106 as part of the proposed Kansas Expressway Extension construction near Springfield, Missouri. Plaintiff has filed a motion seeking leave to proceed in forma pauperis. Plaintiff's affidavit of poverty demonstrates that Plaintiff cannot pay the filing fee or incur the costs of these proceedings, and Plaintiff's complaint alleges sufficient facts to demonstrate that it is not barred by 28 U.S.C. § 1915(e)(2)(B).

Accordingly, it is **ORDERED** that:

1. Plaintiff's motion to proceed in forma pauperis (Doc. #1) is **GRANTED**.
2. The Clerk of Court is directed to electronically file the Complaint as of the date of this order.
3. The Clerk of Court shall forward the appropriate process forms to Plaintiff and, within twenty (20) days from the date of this Order, Plaintiff shall return the

completed summons and service forms to the Clerk's Office showing the address where Defendant(s) may be served.

3. Upon receipt of the completed process forms from Plaintiff, the Clerk of Court is directed to issue summons and process and deliver same to the United States Marshal for service upon the Defendant(s), pursuant to Rule 4 of the Federal rules of Civil Procedure. The Marshal is permitted to attempt service by mail.

IT IS SO ORDERED.

/s/ Douglas Harpool
DOUGLAS HARPOOL
UNITED STATES DISTRICT JUDGE

Date: January 11, 2022